



TOWN OF WAKEFIELD

BOARD OF APPEALS

MEETING MINUTES

Wednesday, March 27, 2024 – ZOOM HEARING

Consistent with the Governor's orders suspending certain provisions of the Open Meeting Law, this meeting was conducted by remote participation.

Call to Order 7:00 pm

Roll Call by Thomas Lucey

In Attendance:

THOMAS J. LUCEY, CHAIRMAN

JOSEPH PRIDE, CLERK

DAVID W. HATFIELD

CHARLES L. TARBELL

MICHAEL L. FEELEY

GREGORY W. MCINTOSH, ALTERNATE

KASUMI HUMPHRIES, ALTERNATE

Joseph Pride Read the Legal Notice

REQUEST TO CONTINUE:

(24-10) 0, 119, 127, 135 NAHANT STREET – THE RESIDENCES AT NAHANT, LLC.

Tom Lucey read Attorney Panos letter into the record. (See letter in file dated 3/27/24).

In the letter Attorney Panos requested to continue to 4/10/24.

Attorney Panos explained that they are continuing to wait for confirmation on a meeting from the Town's Traffic Advisory Committee and are also working on a redesign concept to address height and massing concerns.

Attorney Panos also extended the time to close its hearing until July 10, 2024.

Dave moved to continue to 4/10/24 and extend the time to July 10, 2024, Joe seconded



Discussions:

Greg noted that at the last hearing Mr. Panos committed to be back in front of the Board tonight at the very least regarding time-lines and there are other things that could be discussed with the Board tonight. Greg also pointed out that Chip has requested several times, more information on the developer and the background of the developer, so Mr. Panos could have been here tonight with that information. We should not take this as some sort of break or that they are working better with the Board when they should have been here tonight.

Tom could not have agreed more with Greg. This is yet another instance of not providing information in a timely matter. They have not met one deadline and they talked about having a schedule for tonight, even if they had not met with TAC and Mr. Tarbell said at the last hearing they could come back tonight to give us a couple of things to discuss. They have not met one deadline or made a commitment to this Board.

Dave commented that he finds it interesting that they have terminated Hayes Engineering, this can add to delays.

Mike Feeley pointed out that in order to get an eligibility letter from the State, the developer must put together information regarding the development team, and it should be something that is just passed out. Tom said they have asked Attorney Panos several times what other projects the developers have completed and Mr. Panos has yet to produce a list.

Chip agrees with everything that has been stated tonight and has never seen anything like this before.

Voting members in favor of Dave's motion to continue and extend the time – Dave, Joe, Chip, Mike and Tom

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REQUEST TO CONTINUE:

(24-20) 32-32A, 36 NAHANT STREET – 32 NAHANT STREET, LLC

A request from Attorney Paul Haverty to continue the hearing to April 10, 2024 and extend the time to close the public hearing until September 11, 2024.

His client has submitted its traffic study and anticipates meeting with TAC perhaps on Friday, April 5th.

Dave made a motion to continue the hearing until April 10, 2024 and extend the time to close the hearing until September 11, 2024. Joe seconded the motion.

Discussions:

Greg pointed out that they have even less information from this project and have met less with this applicant than The Residents at Nahant Street project, which they were previously discussing. They have materials and information they can discuss and present. Tom agreed they have just been continuing and waiting for their TAC meeting. Chip feels that they think they have a free pass because they have reduced the density a bit. Joe said they gave them homework the last time they were here.

Voting members in favor of Dave's motion – Dave, Joe, Chip, Mike and Tom

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NEW HEARING:

(24-34, 24-38, 24-39) 4 QUAIL RUN – GARY RASO

Purpose: Special Permit, Finding, Variance to construct an addition for an accessory apartment

Present: Attorney McGrail, Gary Raso

Attorney McGrail said Mr. Raso would like to add an addition to the rear of his home for an accessory apartment.

- Brian shared the site plan and the zoning table.
- The Finding is because of lot width, it is a non-conforming lot.
- The Variances that are being requested is lot width, and adding an addition.
- The Special Permit is for the accessory apartment.
- The square footage including the accessory apartment is 3,008 s.f.
- The apartment is 22% which meets the requirement.
- Mr. Raso's daughter and husband will live in the apartment.

Public Testimony:

None

Dave moved to grant a Finding that the proposed changes and alterations at 4 Quail Run based on the site plan prepared by Paul Finocchio revised through 2/27/24 and the architectural plans, they find that those changes are not more substantially detrimental to the neighborhood.

Joe seconded the motion

Voting Members all in favor - Dave, Joe, Chip, Mike, Tom

Dave moved to grant a Variance based on the same plans in the previous motion with respect to the lot width and the addition that is being proposed and is part of the accessory apartment owing to circumstances related to the lot and hardships to the homeowners.

Joe seconded the motion

Voting Members all in favor - Dave, Joe, Chip, Mike, Tom

Dave moved to grant a Special Permit to allow the accessory apartment owing to all the requirements that have been met as discussed tonight along with the same plans mentioned with the previous motions. With the condition that instead of surety a letter every year will be given to the Building Department stating that the intended purpose stays the same.

Joe seconded the motion

Voting Members all in favor - Dave, Joe, Chip, Mike, Tom

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NEW HEARING:

(24-36, 24-37) 73 OAK STREET – MATTHEW F. SYMES & RACHEL W. SYMES

Purpose: Finding and Variance to construct an addition

Attendees: Attorney McGrail, Rachel & Matthew Symes

Attorney McGrail explained that the Symes would like to add an addition onto their single-family home for their growing family.

- The lot is non-conforming and they will be creating a new non-conformity because of the uniqueness of the lot.
- The lot has two frontages Oak Street and Fell Street.
- Brian presented the plot plan and zoning table.
- The addition will include a garage with living space above.
- The non-conformity is the square footage of the lot and lot width.
- The Variance is needed on the side of Fell Street, it meets the side setback requirements, but because it is on a corner they need to be at 20 feet on the side to meet the front setback requirement.
- Architectural elevations were also shared.
- Floor plans were shown.
- They have received significant support from the neighbors. (see signatures in file)

- The Board felt this request was reasonable.

Public Testimony:

None

Dave moved to grant a Finding and Determination that the reconstruction and alterations based on the site plan prepared by Robert Glover and dated 2/29/24 and drawings by Jenna Ellison, dated 3/28/24. Although there is an increase in some of the non-conforming nature of the lot, we find that the proposed changes shall not be more detrimental to the neighborhood. Joe seconded the motion

Voting members all in favor – Dave, Chip, Joe, Mike and Tom

Dave moved to grant a Variance based on the same plans noted above and that the changes at 73 Oak Street owing to the uniqueness of the lot and allowing the side yard setback to be at 16.5 feet instead of the required 20 feet.

Joe seconded the motion

Voting members all in favor - Dave, Joe, Chip, Mike and Tom

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APPROVE MINUTES:

Dave made a motion to approve the minutes of March 13, 2024 as written.

All members were in favor – Tom, Dave, Chip, Joe, Mike, Greg and Kasumi

The meeting adjourned at 7:56 p.m.